

BERMAN

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

NEW YORK STATE DEPARTMENT OF
ECONOMIC DEVELOPMENT f/k/a THE
NEW YORK STATE DEPARTMENT
OF COMMERCE ECONOMIC
DEVELOPMENT,
an official agency within the administrative
offices of the State of New York,

Plaintiff,

v.

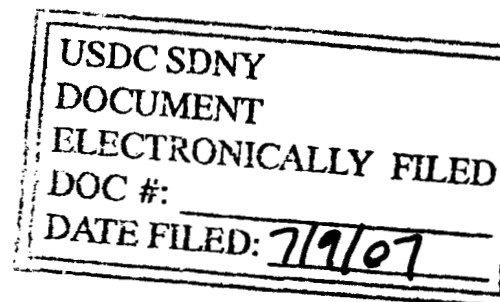
MICHAEL NNAMDI STEWART, an
individual and MOSAYK, INC., a North
Carolina corporation

Defendants.

CIV. ACTION NO.:

07 CV 03786 (RMB)

ORDER TO SHOW CAUSE



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Upon the Declaration of Daniel I. Schloss, dated July 3, 2007 and all of the exhibits attached thereto, and upon all proceedings heretofore had herein, and sufficient cause being shown, it is hereby

ORDERED, that Defendants Michael Stewart and Mosayk, Inc. (collectively "Defendants") show cause on 7/18, 2007 at 11:30 a.m./p.m., before the Honorable Richard M. Berman at the United States District Court, Southern District of New York, United States Courthouse, 500 Pearl Street, Courtroom 6A, why a Final Judgment Under Default pursuant to Rule 55 of the Federal Rules Of Civil Procedure should not be entered.

IT IS FURTHER ORDERED, that service of a copy of this Order, and the papers upon which it is based, shall be deemed good and sufficient service if attempted to be

made by any legally authorized means on or before _____, 2007 upon the Defendant or its attorneys, and it is finally

ORDERED, that Defendants' answering papers, if any, shall be filed with the Clerk of this Court and served upon the attorneys for Plaintiff New York Department of Economic Development ("NYSDDED") by delivering copies thereof to the offices of Greenberg Traurig, LLP, 200 Park Avenue, 34th Floor, New York, New York 10166, Attention: Daniel I. Schloss, Esq., before 5 p.m. on July 12, 2007. Any reply shall be filed and served by NYSDDED before ~~5 p.m.~~ July 14, 2007. (noon)

Defendants are hereby given notice that failure to respond by the date scheduled herein shall result in the immediate entry of a Final Judgment Under Default. Defendants are hereby given further notice that they shall be deemed to have actual notice of the issuance and any act by the Defendants in violation of any of the terms thereof may be considered and prosecuted as contempt of this Court.

Dated: New York, New York
7/9, 2007

RMB
Honorable Richard M. Berman
U.S.D.J.